

An Act

ENROLLED HOUSE
BILL NO. 2376

By: Hill of the House

and

Daniels of the Senate

An Act relating to criminal procedure; amending Section 1, Chapter 248, O.S.L. 2023 (22 O.S. Supp. 2024, Section 991a-4.2), which relates to early evaluation hearings; directing the District Attorneys Council to annually provide list of early termination applications; and providing an effective date.

SUBJECT: Criminal procedure

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 248, O.S.L. 2023 (22 O.S. Supp. 2024, Section 991a-4.2), is amended to read as follows:

Section 991a-4.2. A. 1. Any person who receives a suspended sentence that exceeds five (5) years pursuant to the provisions of Section 991a of this title for an offense not listed in Section 13.1 or subsection C, D, E, F, G, or J of Section 644 of Title 21 of the Oklahoma Statutes or Section 571 or 582 of Title 57 of the Oklahoma Statutes shall, upon request, receive an early evaluation hearing after five (5) years to determine whether the length of the suspended sentence should be modified.

2. Any person who receives a split sentence pursuant to the provisions of Section 991a of ~~Title 22 of the Oklahoma Statutes~~ this title for an offense not listed in Section 13.1 or subsection C, D, E, F, G, or J of Section 644 of Title 21 of the Oklahoma Statutes or Section 571 or 582 of Title 57 of the Oklahoma Statutes and the suspended portion of the sentence exceeds five (5) years shall, upon

request, receive an early evaluation hearing after five (5) years of serving the suspended portion of the split sentence to determine whether the length of the split sentence should be modified.

B. Upon an early evaluation hearing conducted pursuant to subsection A of this section, the court may modify the length of the suspended sentence or split sentence when:

1. The person has completed all requirements of his or her probation, including treatment and rehabilitative programming;

2. The person had no criminal violations during the term of probation;

3. The person has no pending revocation hearings; and

4. The district attorney does not object on behalf of the state or the victim or victims of the offense. Any such objection shall be made in writing, specify on behalf of whom the objection is made, and include the specific reason or reasons for the objection.

C. A person may request an early evaluation hearing one (1) year earlier than prescribed in subsection A of this section and the court may modify the length of the suspended sentence or split sentence when:

1. The person received a high school or high school equivalency diploma, any college-level degree, or a vocational, technical, or career training certification or degree while serving his or her sentence, or when the person has maintained consistent employment throughout his or her probation period;

2. The person has completed all requirements of his or her probation, including treatment and rehabilitative programming;

3. The person had no criminal violations during the term of probation;

4. The person has no pending revocation hearings; and

5. The district attorney does not object on behalf of the state or the victim or victims of the offense. Any such objection shall be made in writing, specify on behalf of whom the objection is made, and include the specific reason or reasons for the objection.

D. Written notice shall be made to the appropriate district attorney within fifteen (15) days of the filing of a request pursuant to subsection A or subsection C of this section. The district attorney shall have forty-five (45) days from the date the notice was received to object or otherwise respond. The Court may, upon request of the district attorney, grant a single fifteen-day extension to object or otherwise respond.

E. An offender may only request one early evaluation hearing in a case pursuant to subsection A of this section without prior approval from the district attorney.

F. No person shall be prohibited from an early evaluation hearing as a condition of a plea agreement or imposed sentence if otherwise qualified pursuant to subsection A of this section.

G. ~~The President Pro Tempore of the Senate, the Speaker of the House of Representatives, or the Governor may request the~~ On or before November 30, 2025, and every odd year thereafter, the District Attorneys Council ~~to~~ shall provide a list of early termination applications made and copies of any objections or other responses to such applications during the prior fiscal year. ~~Such request shall be made no later than July 31 and shall be fulfilled no later than November 30 to the President Pro Tempore of the Oklahoma State Senate, the Speaker of the Oklahoma House of Representatives, and the Governor.~~

SECTION 2. This act shall become effective November 1, 2025.

Passed the House of Representatives the 25th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 30th day of April, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____